

REMARKS

In response to the Office Action mailed January 12, 2005, claims 1, 11, 21, and 31 have been amended. No claims have been cancelled or newly added. Therefore, claims 1, 3-11, 13-21, 23-31, and 33-44 are pending. Support for the instant amendments is provided throughout the as-filed Specification. Thus, no new matter has been added. In view of the foregoing amendments and the following comments, allowance of all the claims pending in the application is requested.

Examiner Interview

Applicants thank the Examiner for the courtesy extended to Applicant's representative (Mr. Ingram) during the telephonic interview conducted on April 22, 2005. A summary of the substance of the Interview was provided by the Examiner. *See* Interview Summary mailed April 28, 2005.

Rejections Under 35 U.S.C. §102

Claims 1, 3-8, 10-11, 13-18, 20-21, 23-28, 30-31, 33-38 and 40-44 stand rejected under 35 U.S.C. §102(a) as allegedly being anticipated by European Patent Application EP 1143356 to Shanahan *et al.* (hereinafter "Shanahan"). Applicants disagree with the rejections set forth by the Examiner. However, solely in an effort to expedite prosecution, the claims have been amended to clarify various points of novelty over Shanahan.

In particular, independent claim 1 recites, *inter alia*, the feature of determining a spider type for gathering information content from the at least one identified repository, wherein the spider type is determined based on the repository type. Independent claims 11, 21, and 31 include similar recitations.

In an exemplary embodiment, a spider component may receive work requests for a scheduler that describe which repositories to process on a work queue. *See* Specification, *e.g.*, page 5, lines 10-13. The scheduler may communicate with a repository schedule for determining

when a particular process is scheduled, a spider type, and/or a frequency of spidering. *See* Specification, *e.g.*, page 5, lines 13-15.

As discussed and agreed during the aforementioned telephonic interview, Shanahan does not disclose the feature of determining spider types. *See* Interview Summary mailed April 28, 2005. Accordingly, Applicants request that the rejection of independent claims 1, 11, 21, and 31 be withdrawn. Applicants further submit that dependent claims 3-8, 10, 13-18, 20, 23-28, 30, 33-38 and 40-44 are allowable because they depend from allowable independent claims, as well as for the further limitations they contain.

Rejections Under 37 U.S.C. §103

Claims 9, 19, 29 and 39 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Shanahan. In the Final Office Action, at page 5, lines 12-19, the Examiner concedes that Shanahan fails to disclose CORBA as the exchange mechanism by which the service provider obtains documents. The Examiner takes Official Notice, however, that CORBA is well known as an “object brokerage.” In view of the deficiency of Shanahan discussed above, Applicants submit that claims 9, 19, 29, and 39 are allowable at least by virtue of their dependence from allowable independent claims. Accordingly, Applicants submit that it is not necessary at this time to address the merits of the Examiner’s invocation of Official Notice. Should the Examiner make another rejection, however, Applicants expressly reserve the right to traverse the Examiner’s Official Notice.

Conclusion

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,



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